

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the below date:

Date: October 19, 2005

Name: Gregory H. Zavia, Reg. No. 48,059

Signature: Gregory Zavia

Case No. 9793/73

RDGmbH Ref. 18931-US/IR (5181/0Q/US)

RDC Ref. BMID 9903 US



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Johann Karl et al.

Serial No: 09/890,442

Examiner: James Leslie Grun, Ph.D.

Filed: January 31, 2002

Group Art Unit: 1641

For: Assay for the Detection of
N-Terminal proBNP

PETITION AND FEE FOR EXTENSION OF TIME (37 CFR § 1.136(a))

Mail Stop Appeal Brief - Patents
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

This is a petition for an extension of the time to respond to the Notification of Non-Compliant Appeal Brief dated July 19, 2005 for a period of two months.

Applicant:

claims small entity status. See 37 C.F.R. §1.27.
 is other than small entity

<u>Extension Months</u>	<u>Other Than Small Entity</u>	<u>Small Entity</u>
<input type="checkbox"/>	One Month	\$120.00
<input checked="" type="checkbox"/>	Two Months	\$450.00
<input type="checkbox"/>	Three Months	\$1,020.00
<input type="checkbox"/>	Four Months	\$1,590.00
<input type="checkbox"/>	Five Months	\$2,160.00

10/24/2005 TBESHAI1 00000003 09890442

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450.00 DA

Fee Payment

- Attached is a check for \$_____ for the Petition fee.
- Attached is a credit card authorization form for \$_____ for the Petition fee.
- Charge Petition fee to Deposit Account No. 23-1925. A duplicate copy of this Petition is attached.
- Charge any additional fee required or credit for any excess fee paid to Deposit Account No. 23-1925. A duplicate copy of this Petition is attached.

Respectfully submitted,

Dated: October 19, 2005



Gregory H. Zayia
Registration No. 48,059
Agent for Applicants

BRINKS HOFER GILSON & LIONE
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